



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

January 23, 1985

CERTIFIED RETURN RECEIPT REQUESTED
(P402 457 098)

Mr. Robert Barnes
Highway 128, Dewey Bridge
P. O. Box 313
Cisco, Utah 84515

Dear Mr. Barnes:

RE: Board Order, Cause DOE/019/024

This letter serves notice of recent findings by the Board and Division of Oil Gas and Mining. Reference is made to the March 22, 1984 Board Order enclosed (Docket 84-001, Cause No. DOE/019/024) wherein you were served with the order to cease any mining exploration, testing or related activity on the Poor Boy Claims until a mining and reclamation plan and surety were approved by the Division. A deadline of May 31, 1984 was given for submittal of plans, unless, in the opinion of the Division, you were attempting to comply with the Order and an extension was granted. No plans were received by the Division on or before May 31, 1984 although you had been in phone contact about proposed activities. On August 22, 1984, you were found to be in violation of the Board Order by means of managing the operation of placer mining equipment run by Joe Hill at the Poor Boy Claims site. You acknowledged "testing" of the gravel-sands for gold deposits in a conversation with James Smith and Thomas Tetting of the Division at your home the same day. The Division received your last written communication on August 29, 1984 concerning the posting of a surety consisting of property worth a 1984 value of \$9,150.

In November 1984, the Board of Oil Gas and Mining discussed the matter and again ordered you to comply with the original March Order.


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At this time, the Division requires that:

1. The surety amount to be submitted must be escalated to the 1985 amount of \$14,294. The offer of the property as a surety was rejected. An acceptable form would be an irrevocable letter of credit through which a banking institution will have processed the "collateral" you offered in the form of property and assure the State of its useful value.
2. A specific mining and reclamation plan must be submitted as discussed with you by the Division staff and representatives of the Department of Health last year.
3. Finally, you should be aware that you are subject to Section 40-8-9(3) of the Mined Land Reclamation Act and as such may be guilty of a misdemeanor and subject to a fine of up to \$10,000.

Please respond to this letter within 30 days of its receipt and discuss with either myself or D. Wayne Hedberg your proposed schedule and plans for addressing the issue. After that time, the matter will be turned over to the Attorney General's Office for resolution.

Sincerely,



Ronald W. Daniels
Associate Director of Mining

PGL/btb
Enclosures
cc: David S. Christensen
Dianne Nielson
Wayne Hedberg
8808R-36 & 37